

Responsible Office: Code J/Office of Management Systems
Subject: Agreement Formulation Process



Office of Management Systems

Office Work Instruction

Agreement Formulation Process

Original Approved by: _____
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DOCUMENT HISTORY LOG

<u>Status</u> (<u>Baseline/</u> <u>Revision/</u> <u>Canceled</u>)	<u>Document</u> <u>Revision</u>	<u>Effective</u> <u>Date</u>	<u>Description</u>
Baseline		12/7/99	
Revision	A	4/26/00	Incorporate minor modifications responsive to the NASA HQ ISO 9001 pre-assessment audit of Feb. 7 – 11, 2000.
Administrative Change	A	5/2/00	Administrative Change to add more detail to the History Log. In response to NASA HQ ISO 9001 pre-assessment audit of Feb. 7 - 11, 2000: The definition of concurrence record was corrected; agreement amendments are included in this process; and new step 6.5 was added to further explain this process.

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1.0 Purpose

The purpose of this procedure is to document the process steps followed by the Office of Management Systems (Code J) in formulating or amending agreements.

2.0 Scope and Applicability

This Office Work Instruction (OWI) covers the formulation or amendment of agreements that are signed by Code J. It does not cover processing of procurement-related activities such as grants or contracts. The agreements can be with other NASA entities (i.e., Field Centers, Enterprises, and other Functional Offices) or with non-NASA entities (e.g., other government agencies, non-profit organizations and industry). This OWI does not cover the implementation of agreements. Code J enters into agreements to exercise its Agency Functional Leadership responsibilities as well as to enable Code J to leverage functional resources to assist NASA in achieving overall Agency objectives.

This instruction applies to agreements signed by Code J officials and to the activities of all Code J personnel involved in the formulation of these agreements.

3.0 Definitions

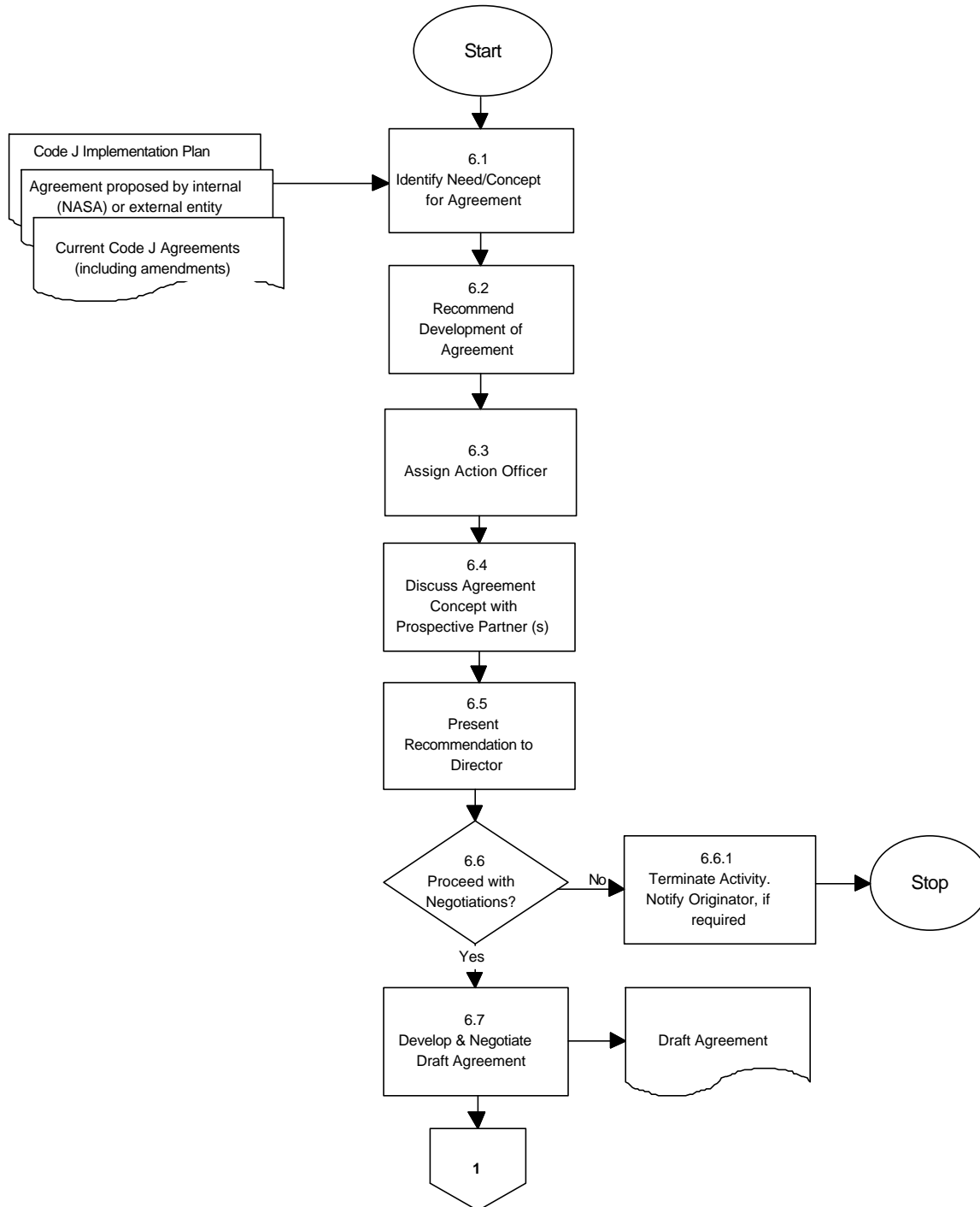
- 3.1 Space Act Agreement. Commitment by NASA of resources to accomplish a joint undertaking with an agreement partner: refer to NPD 1050.1 and NPG 1050.1
- 3.2 Agreement Partner. A U.S. person or entity, state and local governmental unit, an educational institution, a foreign government or its instrumentality, or other unit of the Executive Branch.
- 3.3 Code J Employee. Any staff person of Code J, including management.
- 3.4 Code J Action Officer. Code J employee assigned to work action.
- 3.5 Concurrence Record. The concurrence record is an Action Document Summary (ADS), NHQ Form 117, or Routing Slip, NASA Form 26. The form used depends on the type of agreement.

4.0 References

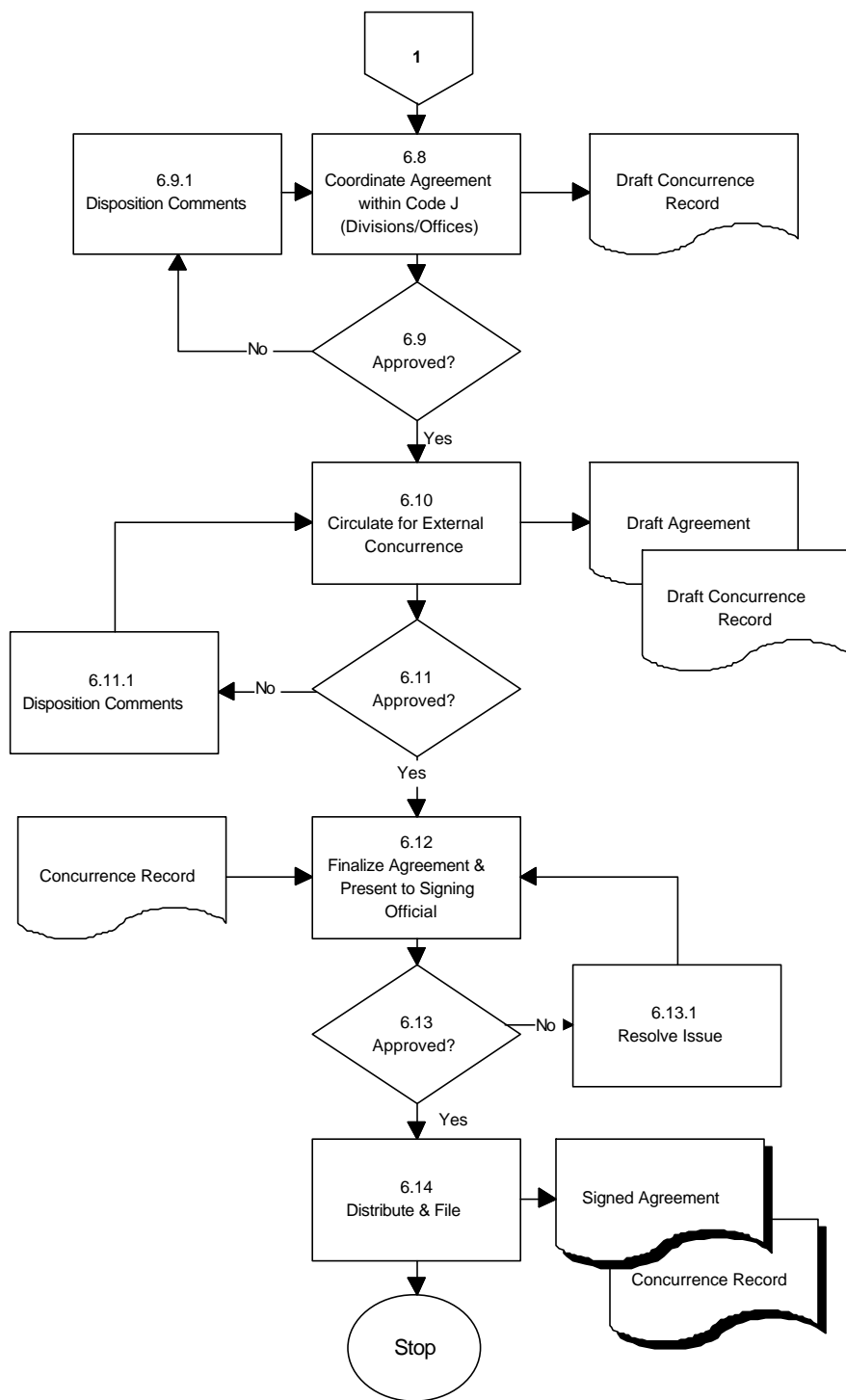
- 4.1 NPD 1050.1 Authority to Enter Into Space Act Agreements
- 4.2 NPG 1000.2 NASA Strategic Management Handbook
- 4.3 NPG 1050.1 Space Act Agreements Manual
- 4.4 Office of Management Systems and Facilities Functional/Staff Office Implementation, May 1998.

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5.0 Flowchart



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6.0 Procedure

Step	Actionee	Action
6.1	Code J Employee	Identify need or concept for an agreement. The need or concept may be identified in response to a proposal from an internal or external entity interested in cooperation. The need for an agreement may also be in response to the Code J Implementation Plan, a requirement from senior NASA management or another NASA entity. Current Code J agreements may generate requirements for agreement extensions, sub-agreements to an existing agreement or amendments.
6.2	Code J Employee	Recommend development of agreement to Code J Director. The recommendation should include the purpose of the agreement and its potential benefits to Code J and NASA. Define agreement goals and objectives and identify agreement responsibilities. Present to Code J Director.
6.3	Code J Director	Assign Action Officer to develop draft agreement.
6.4	Code J Action Officer	Discuss agreement concept with prospective partner(s) to determine if cooperation is worthwhile and affordable for both parties.
6.5	Code J Action Officer	Present Director with recommendation to pursue an agreement through formal negotiations or to terminate.
6.6	Code J Director	If it is determined to be worthwhile to pursue an agreement through formal negotiations proceed to Step 6.7. If it is determined that an agreement should not be pursued at this time, go to Step 6.6.1 to terminate activity.
6.6.1	Code J Action Officer	Terminate the activity. If Code J consideration of the proposed agreement was in response to a formal external recommendation, notify the originator that activity will not be pursued at this time.
6.7	Code J Action Officer	Develop draft agreement. Refer to NPD 1050.1, NPG 1000.2, and NPG 1050.1 for guidance on agreements. Meet with the agreement partner(s) to discuss the draft and begin formal negotiations. A number of negotiating sessions may be required before reaching consensus on a final draft
6.8	Code J Action Officer Code J Director(s)	Based on the scope of the agreement and the goals and objectives established in Step 6.2, coordinate the draft agreement within Code J. The coordination may include one or more Code J divisions/offices, depending on the subject and scope of the agreement. At a minimum, the Director of the lead division/office for the agreement should review the draft. Concurrence by Code J Director(s) will be reflected on final concurrence record.
6.9	Code J Director(s)	If approved, proceed to Step 6.10. If not approved, provide comments to the action officer and proceed to Step 6.9.1 for disposition of comments.

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<u>Step</u>	<u>Actionee</u>	<u>Action</u>
6.9.1	Code J Action Officer	Disposition comments and return to Step 6.8.
6.10	Code J Action Officer	Circulate draft agreement and concurrence record for external coordination. Consult NPD 1050.1, NPG 1000.2, and NPG 1050.1 for guidance in coordinating agreements.
6.11	Code J Action Officer	If concurrence is received, proceed to Step 6.12. If comments are received, proceed to step 6.11.1.
6.11.1	Code J Action Officer	Disposition comments and return to Step 6.10 if additional coordination is required; otherwise, proceed to Step 6.12.
6.12	Code J Action Officer Code J Associate Administrator or Designee	Present agreement with concurrence record to signing official for approval. Review agreement to determine if it meets original objectives and required concurrence has been obtained. If approved, sign the agreement. If not approved, provide comments to Action Officer.
6.13	Code J Action Officer	If approved, proceed to Step 6.14. If not approved go to Step 6.13.1.
6.13.1	Code J Action Officer	Take appropriate action to resolve issues and return to Step 6.12.
6.14	Code J Action Officer Correspondence Control Clerk	Provide original or copy of original Agreement and concurrence record to correspondence control clerk for filing. Prepare distribution memorandum or routing slip, as required. Receive signed original or copy of signed original from action officer. Distribute copies of the signed agreement to the signing parties. File the agreement and concurrence record in the files of the division/office responsible for the agreement.

7.0 Quality Records

<u>Record ID</u>	<u>Owner</u>	<u>Location</u>	<u>Record Media</u>	<u>NPG 1441.1 Schedule and Item Number</u>	<u>Retention/Disposition</u>
Copy of Signed Agreement with Concurrence Record	Director of Code J Division/ Office responsible for the agreement	Responsible Code J Division File	Hard Copy	Schedule 1, Item 7.A	Permanent Retire to FRC 2 years after completion or expiration. Transfer to NARA 10 years after completion/expiration